

GOVERNMENT OF TELANGANA

ABSTRACT

R&B Department – Payment of Decretal charges in O.P.No.229 of 1997 in the Court of Hon'ble Principal Senior Civil Judge, Ranga Reddy District for acquisition of land for formation of Intermediate Ring Road in Ranga Reddy District -Administrative Sanction - Accorded – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (R.II) DEPARTMENT

G.O.RT.No. 566

Dated: 07/12/2015

Read the following:

- 1.G.O.Rt.No: 735, T(R&B)(R.III) department, Dated: 02-08-2013
- 2.From the Engineer-in-Chief(R&B)S.R&CRN,Hyderabad,
Lr.No.317/EE(II)/DEE7/AEE1/2013, Dated.06.12.2013, 21.08.2014, 24.01.2015,
25.03.2015 & 04.07.2015.

ORDER:

In the letters 2nd read above, the Engineer-in-Chief(R&B)S.R&CRN,Hyderabad has stated that the Land in Sy No: 177 AC 0.08 gts and Ac. 0.01 gts in Sy No: 178 (Total area 0.09 gts) situated at Machabollaram (Village) Malkajigiri Mandal of Ranga Reddy District was acquired for the formation of Intermediate Ring Road and the Award was passed vide Award Proceeding No: C/192/93-2, Dated:13/03/1997 of Special Deputy Collector, Land Acquisition (Industries), Hyderabad fixing the land value @ Rs. 200/- sq. yard. Based on the report of the Special Deputy Collector, (LA) Industries, Hyderabad, it reveals that, the aggrieved with the award, land owners in Sy.No: 177 & 178 of Machabollaram (V), Malkajigiri (M) filed the petition under section 18 of Act for enhancement of award amount of compensation in respect of the land in Sy.No: 177 admeasuring Ac.0.08 gts and Sy.No: 178 admeasuring Ac. 0.01 gts total admeasuring Ac. 0.09 gts situated at Machabollaram (V) Malkajigiri (M) which was referred to the court for adjudication and the Hon'ble principal Senior Civil Judge, Ranga Reddy District at L.B Nagar enhanced the land value from Rs. 200/- to 400/- per square yard as per the judgement and decree orders on 18/08/2009 in O.P. No. 229 of 1997.

2. He has further stated that, the Special Deputy Collector (L.A) Industries, Hyderabad vide Lr No: C/312/2003, Dated: 03/12/2014 has informed that the Govt. Pleader, Ranga Reddy District was requested to arrange certified copies of order and decree in O.P.No: 229/1997 and the Govt. Pleader has informed that the case was transferred to Hon'ble High Court. Due to non-receipt of certified copy of judgement on decree, the Land Acquisition Officer could not file any appeal against the order in O.P.No. 229/1997, Dated: 18/02/2009 as initiated by the Special Deputy Collector (LA) Industries, Hyderabad vide their letter Dated: 03/12/2014. Further, On the other hand, the decree holders filed EP No: 218/2009 for execution of order in OP.No: 229/1997 and attached movable of the Special Deputy Collector (LA) Industries and the case is posted for orders for sale of movables attached.

3. He has informed that, the Special Deputy Collector (LA) Industries has requested to arrange to deposit the decretal amount of Rs.15,31,801.00; The Executive Engineer (R&B) Roads Division, Hyderabad requested the Special Deputy Collector (LA), Industries, Hyderabad to furnish the legal opinion of the Government Pleader in the above case. In response, the Special Deputy Collector (L.A) Industries, Hyderabad had furnished a copy of legal opinion of the Government Pleader. The Government Pleader has opined that, since there is no appeal or any stay against the judgment and decree is pending, the Land Acquisition Officer has to deposit the amounts as per the Judgment and Decree passed in O.P.No: 229/1997 in accordance with the provisions of the LA Act and as per the guidelines issued by the Hon'ble Supreme Court while calculating the total compensation till date of payment to avoid attachment of properties and sale of the same and to avoid embarrassment of the department.

4. The Engineer-in-Chief(R&B)S.R&CRN, Hyderabad has also informed that the Government have accorded sanction for an amount of Rs: 48,74,743/- vide G.O.1st read above, towards payment of enhanced compensation amount in pursuance to the decree and judgement passed in A.S.No: 3940 of 2003, Dated: 09-02-2011 to deposit the same in the Hon'ble court towards acquisition of land of Intermediate Ring Road in Sy.No: 77 & 78 Turkapally (V), Malkajigiri (M) to the extent of 1.10 gts in O.P No: 252/2001. Accordingly, an amount of Rs: 48,74,743/- towards decretal amount was deposited with the Principal Senior Civil Judge, Ranga Reddy District vide Cheque No: 078263, Dated: 03-08-2013 in terms of the G.O as referred above pertaining to AC1.10 gts in Sy.No: 77 & 78 Turkapally (V), Malkajigiri (M) to the extent of 1.10 gts in O.P No: 252/2001.

(P.T.O)

5. He has further stated that, the present proposals for payment of enhanced compensation of Rs: 15,31,801/- (interest up to 31-12-2014 is pertaining to E.P.No: 218//2010 in O.P.No: 229/1997 on the file of the Principal Senior Civil Judge, Ranga Reddy District for enhanced compensation (decretal amount) in Sy.No: 177 & 178 to the extent of Land admeasuring Ac. 0.09 gts situated at Machabollaram (V), Malkajigiri (M) in Ranga Reddy.

6. He has also informed that, in the meantime, the Special Deputy Collector (LA) Industries, Hyderabad vide Lr.No: C/312/2003, Dated: 01-06-2015, has informed that the E.P was posted for orders for sale of movable attached on 05-06-2015 in O.P No: 229/1997. Further, the Special Deputy Collector (LA) Industries, Hyderabad has also requested to arrange to provide undertaking for payment of said amount to avoid sale of movable attachments of their office.

7. The Engineer-in-Chief(R&B)S.R&CRN,Hyderabad has requested the Govt. to accord for an amount of Rs.15,59,882/- (interest up to 06/2015) for payment of Decretal charges in O.P.No.229/1997 in Hon'ble Principal Senior Civil Judge, Rangareddy District for formation of Intermediate Ring Road, Rangareddy District, so as to avoid the sale of movable attachments of the Special Deputy Collector (LA) Industries, Hyderabad and settle the case as early as possible, under the contingency Head of Account.

8. After careful examination of the matter, Government hereby accord Administrative Sanction for an amount of Rs.15,59,882/- Payment of Decretal charges in O.P.No.229 of 1997 in the Court of Hon'ble Principal Senior Civil Judge,Rangreddy District for acquisition of land for formation of Intermediate Ring Road in Rangareddy District.

9. The amount sanctioned in Para (8) shall be debited to the Head of account -5054-Capital outlay on Roads and Bridges-04 -District and other Roads-MH800- Other Expenditure-GH 11-Normal State Plan- SH(08)-Other Roads -530-Major works-532-Land(Charged). Initially shall be met as an advance from Contingency Fund, for which orders will be issued by Finance(B.G)Department, separately.

10. The Engineer-in-Chief(R&B) State Roads & CRN, Hyderabad shall take further action in the matter accordingly.

11. The Engineer-in-Chief (R&B) State Roads, Hyderabad shall also send necessary proposals to Finance (BG.I) Department at an appropriate time during the current financial year 2015-16 for obtaining Supplementary Grant.

12. These orders issues with the concurrence of Finance (EBS-X) Department vide their U.O.No.11243/381/A1/EBS.X/15, dated.22.09.2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**SUNIL SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT**

To,
The Engineer-in-Chief(R&B) State Roads & CRN, Hyderabad.

Copy to:

The Accountant General, Telangana, Hyderabad.

The Director of Works & Accounts, Telangana, Hyderabad.

The O.S.D to Minister(R&B)

P.S to Principal Secretary to Government, TR&B, Department.

The Finance(EBS-X) Department.

Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER